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8	Attorneys for Plaintiff		
9	UNITED STATES DISTRICT COURT		
10	NORTHERN DISTRICT OF CALIFORNIA		
11	SAN FRANCISCO DIVISION		
12	UNITED STATES OF AMERICA,)	No. CR 3-11-00735 RS
13	Plaintiff,		STIPULATION AND [PROPOSED] ORDER DOCUMENTING EXCLUSION OF TIME UNDER THE SPEEDY TRIAL ACT
14	v.	{	
15	ROBERT NEWT,	(
16	Defendant.)	
17)	
18			
19	The parties appeared before the Court in this matter on November 15, 2011 for an initial		
20	status conference. Assistant United States Attorney Damali Taylor appeared on behalf of the		
21	United States. Assistant Federal Public Defender Steven Kalar appeared on behalf of the		
22	defendant, ROBERT NEWT, who was present and in custody.		
23	During the November 15, 2011 hearing, defense counsel informed the court that the		
24	parties had reached a tentative agreement with respect to defendant's plea. However, defense		
25	counsel needed time to review additional discovery that had been provided by the government		
26	and to discuss the plea agreement with his client. Defense counsel requested a future date of		
27	November 29, 2011 in order to provide the defense with sufficient time to do so. Defense		
28	counsel further requested that, in order to review the discovery and to conduct investigation		
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necessary to effectively prepare defendant for resolution or trial, time be excluded under the 1 2 Speedy Trial Act between November 15, 2011 and November 29, 2011, the newly scheduled date 3 for change of plea or trial setting. Defense counsel represented that additional time is necessary 4 to review the evidence and discuss resolution with his client, and that doing so is in the best 5 interests of the defendant. The government had no objection to the November 29, 2011 date, and 6 the Court found good cause for the exclusion of time. The matter was continued to November 7 29, 2011 for the purpose of change of plea or trial setting. 8 The government also had no objection to excluding time and the parties stipulated to an 9 exclusion of time from November 15, 2011 to November 29, 2011. The parties agree that the 10 ends of justice served by granting such an exclusion of time outweigh the best interests of the 11 public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). The Court made findings 12 consistent with the parties' agreement. 13 SO STIPULATED: 14 15 MELINDA HAAG 16 **United States Attorney** 17 DATED: November 28, 2011 18 DAMALI A. TAYLOR Assistant United States Attorney 19 20 DATED: November 28, 2011 21 Counsel for the Defendant 22 23 24 25 26 27 28

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[PROPOSED] ORDER

For the foregoing reasons, the Court HEREBY ORDERS that the matter be continued from November 15, 2011 to November 29, 2011, at 2:30 p.m. for further status conference before the Honorable Richard Seeborg. The Court finds that the failure to grant the requested extension would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The Court finds that the ends of justice served by granting the requested extension outweigh the best interests of the public and the defendant in a speedy trial and in the prompt disposition of criminal cases. The Court also concludes that an exclusion of time from November 15, 2011 to November 29, 2011, should be made under Title 18, United States Code, Sections 3161(h)(7)(A) and 3161(h)(7)(B)(iv). The Court also finds that the ends of justice served by excluding the period from November 15, 2011 to November 29, 2011, outweigh the best interest of the public and the defendant in a speedy trial. Id. § 3161(h)(7)(A).

UNITED STATES DISTRICT JUDGE

IT IS SO ORDERED.

Dated: 11/29/11

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